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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1099 (1997) of 14 March 1997, in which the Council requested me to submit to it a report on the situation in Tajikistan, including the United Nations presence in the country and the manner in which it could assist in the implementation of the inter-Tajik agreements. It brings up to date the record of developments in Tajikistan and of the United Nations Mission of Observers in Tajikistan (UNMOT), as well as the activities of my Special Representative for Tajikistan, since my report of 5 March 1997 (S/1997/198).

II. NEGOTIATING PROCESS

2. At the time of my previous report, the Moscow round of talks had been interrupted by the opposition delegation over the arrest and detention of four members of the United Tajik Opposition (UTO) at Dushanbe on charges of terrorist activities, including the assassination of foreign nationals. Despite this, the talks were successfully concluded on 8 March with the signing of the protocol on military issues (S/1997/209, annex II). The parties also agreed to hold the next round of talks beginning at Tehran on 9 April 1997.

3. The parties met at Tehran from 9 April to negotiate two documents: the protocol on political issues and the protocol on the guarantees of implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan. However, the talks were again suspended almost immediately by the opposition delegation. The stated reason was a request by the Government of Tajikistan to the authorities of the Russian Federation and other countries of the Commonwealth of Independent States (CIS) to arrest and extradite 11 UTO supporters charged with being accomplices of the 4 mentioned above. The UTO delegation also protested against the arrest by the government authorities of eight opposition fighters in Shuroabad, as well as the continued detention by the Government of Tajikistan of the four opposition members arrested in February. One of the four, considered to be only a witness, was released on 13 May.

4. Despite the best efforts of my Special Representative, Mr. Gerd Dietrich Merrem, and the observer countries and organizations, the talks remained stalled and the parties departed Tehran on 16 April with an agreement to resume the round at Tehran in mid-May; in the meantime, efforts to resolve the difficulties were to continue.

5. At Mr. Merrem's initiative, President Emomali Rakhmonov and UTO leader Sayed Abdullo Nuri met at Bishkek, Kyrgyzstan, from 16 to 18 May. Following three days of talks, the two leaders agreed on and signed the protocol on political issues (S/1997/385, annex I). The protocol contains provisions for the adoption of a reciprocal pardon act and an amnesty act; the allocation to UTO of 25 per cent of the seats on the central electoral commission; reform of the Government through the incorporation of UTO representatives into structures of the executive branch and judicial and law-enforcement bodies on the basis of a quota; and the lifting of the ban on the activities of political parties and movements, and mass media. They also signed the Bishkek Memorandum (S/1997/385, annex II), in which they agreed, inter alia, on the number of UTO forces to be stationed at Dushanbe, and that the Commission on National Reconciliation would begin its work immediately after the signing of a general agreement on peace and national accord. President Askar A. Akayev of Kyrgyzstan made available his good offices during the talks, contributing greatly to their success.

6. The Tehran round of talks resumed on 22 May. On 28 May, the two sides signed a protocol on the guarantees of implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/410, annex). Under the protocol, the parties requested the United Nations to provide political guarantees of implementation through the possible adoption by the Security Council of a new mandate for UNMOT, which would provide for the monitoring of the implementation of the General Agreement, the provision of expertise, consultation and good offices and possibly other functions. The observer countries agreed to act as political and moral guarantors and, in order to monitor the implementation of the General Agreement, to establish at Dushanbe a contact group, which would also include the observer organizations, with the Special Representative of the Secretary-General of the United Nations acting as coordinator.

7. The protocol on guarantees completes the series of separate protocols provided for in the protocol on fundamental principles of 17 August 1995 (S/1995/720, annex). The other agreements are the protocol on political questions of 18 May 1997 (S/1997/385, annex I); the agreement between the President of Tajikistan and the leader of UTO of 23 December 1996 and the protocol on the main functions and powers of the Commission on National Reconciliation of the same date (S/1996/1070, annexes I and II); the statute of the Commission on National Reconciliation of 21 February 1997 and the additional protocol on the main functions and powers of the Commission (S/1997/169, annexes I and II); the protocol on military issues of 8 March 1997 (S/1997/209, annex II); and the protocol on refugees of 13 January 1997 (S/1997/55, annex).

8. The Government and UTO have agreed that the General Agreement on the Establishment of Peace and National Reconciliation in Tajikistan will be signed by President Rakhmonov and Mr. Nuri in Moscow on 14 June.

III. DEVELOPMENTS IN TAJIKISTAN

Maintenance of the ceasefire

9. The ceasefire between the Government of Tajikistan and UTO has generally held. Both sides coordinated efforts to ensure wide acceptance of the protocol on military issues and sent joint delegations to visit field commanders from both sides in the Karategin valley and the Tavildara sector, and in the Teppei-Samarkandi and Kofarnikhon areas. The delegations were led by Mr. Amirkul Azimov, Secretary of the National Security Council, and Mr. Davlat Usmon, UTO Chief of Staff. A government delegation also visited the Leninabad region in the north to explain the provisions of the protocols and to mobilize support for the peace process.

10. In early April, however, there was a period of tension between government authorities and an opposition field commander in Teppei-Samarkandi (east of Dushanbe), over the presence of a unit of Ministry of the Interior personnel, which the opposition commander claimed to be against the agreements. On 7 May, the opposition field commander took hostage two members of the Joint Commission, one from each side, as well as a government official travelling with them, demanding the withdrawal of government forces from the area. The situation was defused and the hostages released following intervention by the UTO leadership and UNMOT. On 24 May, the Government protested to the Joint Commission the establishment of new opposition posts in the areas of Teppei-Samarkandi, Nurek, and Kofarnikhon. The Joint Commission is to take up the matter with the opposition leadership in order to resolve the situation.

Security situation

11. The security situation in Tajikistan, in particular at Dushanbe, the Nurek area, and along the road from Dushanbe to Garm/Tavildara, remained precarious. The hostage crises in December and February had been resolved by essentially meeting the demands of the group that had taken the hostages, causing concern that others, especially those opposed to reconciliation between the Government and UTO, would be encouraged to use the same means to further their aims. It was therefore significant that, soon after the release of the hostages on 17 February, the Government and the opposition undertook a joint operation against the hostage takers. The operation lasted about six weeks and was declared successfully completed, following the capture of one of the two leaders and a number of his fighters. Several others were reportedly killed. On the other hand, the Government has not so far instituted criminal proceedings against those involved in the two hostage incidents, despite assurances that it would do so. The captured leader is currently in the custody of the Presidential Guard and a number of his fighters have joined that unit. The other leader remains at large, and members of the group have been seen moving freely in Dushanbe. The authorities have informed UNMOT that the group appears to be operating from its base camp in the hills near Obigarm.

12. A number of violent incidents took place in the country during the reporting period. On 30 April, an attempt was made to assassinate President Rakhmonov during a visit to Khujand, in Leninabad Province. The same day, the authorities arrested two persons in connection with the attempt and subsequently

stormed the camp of a group linked to the two and killed most of the members. The UTO leadership condemned the attempt on the President's life. President Rakhmonov has ascribed it to criminal elements and has stated that it was not politically motivated.

13. On 14 March and 13 May, two Russian servicemen belonging to the Collective Peacekeeping Forces of CIS were shot at point-blank range and killed in Dushanbe. On 27 March, an explosive device was thrown in Dushanbe at a parked vehicle belonging to an international non-governmental organization. The vehicle was empty, and no one was hurt.

14. In the second week of April, a confrontation took place between two army units in Tursunzade, apparently over control of the aluminium plant there. Up to 25 casualties were reported. The situation was defused shortly afterwards.

Activities of the United Nations Mission of Observers in Tajikistan

15. The majority of United Nations personnel, including UNMOT, remained at Tashkent until 12 May, when, in the light of the deteriorating humanitarian situation in the country and the need to start planning for possible expanded tasks, I authorized the return of the heads of United Nations agencies and essential staff, and of the military observers. Until then, only a skeleton staff was in Dushanbe to support the Special Representative and Chief Military Observer and to report on developments in the country. Since the return of the military observers, teams have been formed to conduct liaison with the Government, the Joint Commission, the Collective Peacekeeping Forces of CIS and the Russian border forces. UNMOT has also carried out some limited patrolling.

16. At present, UNMOT comprises 22 military observers from Austria (3), Bangladesh (2), Bulgaria (2), Denmark (2), Jordan (3), Poland (2), Switzerland (5) and Uruguay (3), and 54 civilian personnel, of whom 22 are internationally recruited. In addition to its headquarters in Dushanbe, UNMOT maintained a liaison office in Khujand. UNMOT has thus remained well under its authorized strength of 45 military observers. I intend to bring the military observers up to strength, as the implications of the inter-Tajik agreements for the United Nations operation become clearer.

17. Mr. Merrem continued as my Special Representative and Head of Mission. On 10 March, Brigadier General Boleslaw Izydorczyk (Poland) assumed his responsibilities as Chief Military Observer.

18. In the aftermath of the hostage crisis in February, UNMOT instituted stringent security measures and also requested the Government to take certain steps. The Government strengthened security around the UNMOT premises in Dushanbe and assisted in concentrating some of the UNMOT staff in securer premises. However, despite repeated assurances at the highest levels, it has not yet acted to ensure exclusive United Nations use of the UNMOT headquarters building, which would require the removal of some small offices used by a Tajik non-governmental organization.

19. In mid-April, UNMOT leased a helicopter, using funds from a voluntary contribution by the Government of Germany. The availability of helicopter

transport had become particularly important because of the uncertain security along the road leading from Dushanbe to points east. However, more than one month since the helicopter's arrival, and despite intervention by the highest level of Government, the airport authorities continue to impede its use. So far, UNMOT has been able to carry out only one flight.

Humanitarian and rehabilitation activities

20. The relocation of United Nations personnel from early February to early May seriously affected the provision of humanitarian assistance in the country. Some agencies, however, were able to continue implementing emergency programmes through national staff. The World Food Programme (WFP) distributed some 3,200 metric tons of food aid through its large network of food monitors in Gorniy Badakshan and Khatlon Provinces during March and April; and the United Nations Children's Fund (UNICEF) was able to deliver drugs and vaccines to Leninabad Province. During this period, other humanitarian organizations such as the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies, and non-governmental organizations played a key role in ensuring the continuation of relief and rehabilitation assistance programmes. The United Nations agencies agreed on 10 April to extend the donor alert for another three months, until the end of August 1997. On 23 May WFP issued an appeal for emergency food aid to 500,000 people for one year, at a total cost of $16 million, as part of its continuing programme of emergency assistance to Tajikistan.

21. The protocol on refugees established a timetable of 12 to 18 months for the return of refugees and internally displaced persons to their places of residence and for the reactivation of the Joint Commission on Refugees which was first established in April 1994. This has not yet happened. In the meantime, refugees continue to return in small, although increasing, numbers.

22. The United Nations agencies and the Bretton Woods institutions have begun discussions at the field level about how to develop an appropriate inter-agency strategy to support the peace process, elements of which would include the transition from humanitarian relief to rehabilitation and development assistance, return of refugees and assistance to demobilized soldiers from both the Government and the opposition. As envisaged in the protocol of 17 August 1995 (S/1995/720, annex), a donor's conference will be convened at a later stage to secure funding for some of those activities.

IV. FINANCIAL ASPECTS

23. The proposed budget for the maintenance of UNMOT for the period from 1 July 1997 to 30 June 1998 (A/51/784/Add.2) is currently under consideration by the General Assembly. The cost of maintaining UNMOT for the 12-month period is estimated at $7,967,700 gross (equivalent to approximately $664,000 per month), assuming continuance of its existing strength and mandate. Therefore, should the Security Council decide to extend the mandate of UNMOT beyond 15 June 1997, the cost of maintaining the Mission would be limited to the amounts indicated above. A supplementary budget proposal would be submitted to the Assembly,

should the mandate be amended in accordance with the inter-Tajik agreements described above.

24. As at 30 April 1997, unpaid assessed contributions to the special account for UNMOT from the inception of the Mission to 15 June 1997 amounted to $2,967,153, which represents some 15 per cent of the assessment of the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.6 billion.

V. OBSERVATIONS

25. The signing of the protocol on guarantees (S/1997/410, annex) at Tehran on 28 May 1997 completes the series of agreements to be concluded by the parties. I am gratified that the determination and effort invested by the United Nations in these negotiations has been rewarded by success. Taken as a whole, the agreements between the two sides are broad in scope and complex, but far from being self-implementing. Their implementation into political practice will require consistent good faith and constant effort of the parties, as well as the sustained, vigorous support by the international community.

26. The Commission on National Reconciliation will be the principal implementing body for the transition period leading to general elections. However, the agreements foresee the support and assistance of the international community in almost every aspect of their implementation and they ascribe to the United Nations a leading role in this regard. In addition, two regional organizations are specifically mentioned in the agreements: the Organization for Security and Cooperation in Europe (OSCE) is to assist in the development of democratic political and legal institutions and processes; and the Collective Peacekeeping Forces of CIS have been requested to escort, under UNMOT's supervision, the personnel, weapons and ammunition of UTO from the Tajik-Afghan border to the designated assembly areas.

27. UNMOT is to continue, under the agreements, to monitor the ceasefire agreement and to provide general political support and good offices, and technical and specialized advice as appropriate. In addition, my Special Representative's political responsibilities are to include coordination of the contact group to be set up under the protocol on guarantees; and, pursuant to the protocol on military issues, UNMOT is to monitor the process of reintegration, disarmament and disbandment of the armed units of UTO and the reform of the governmental power structures.

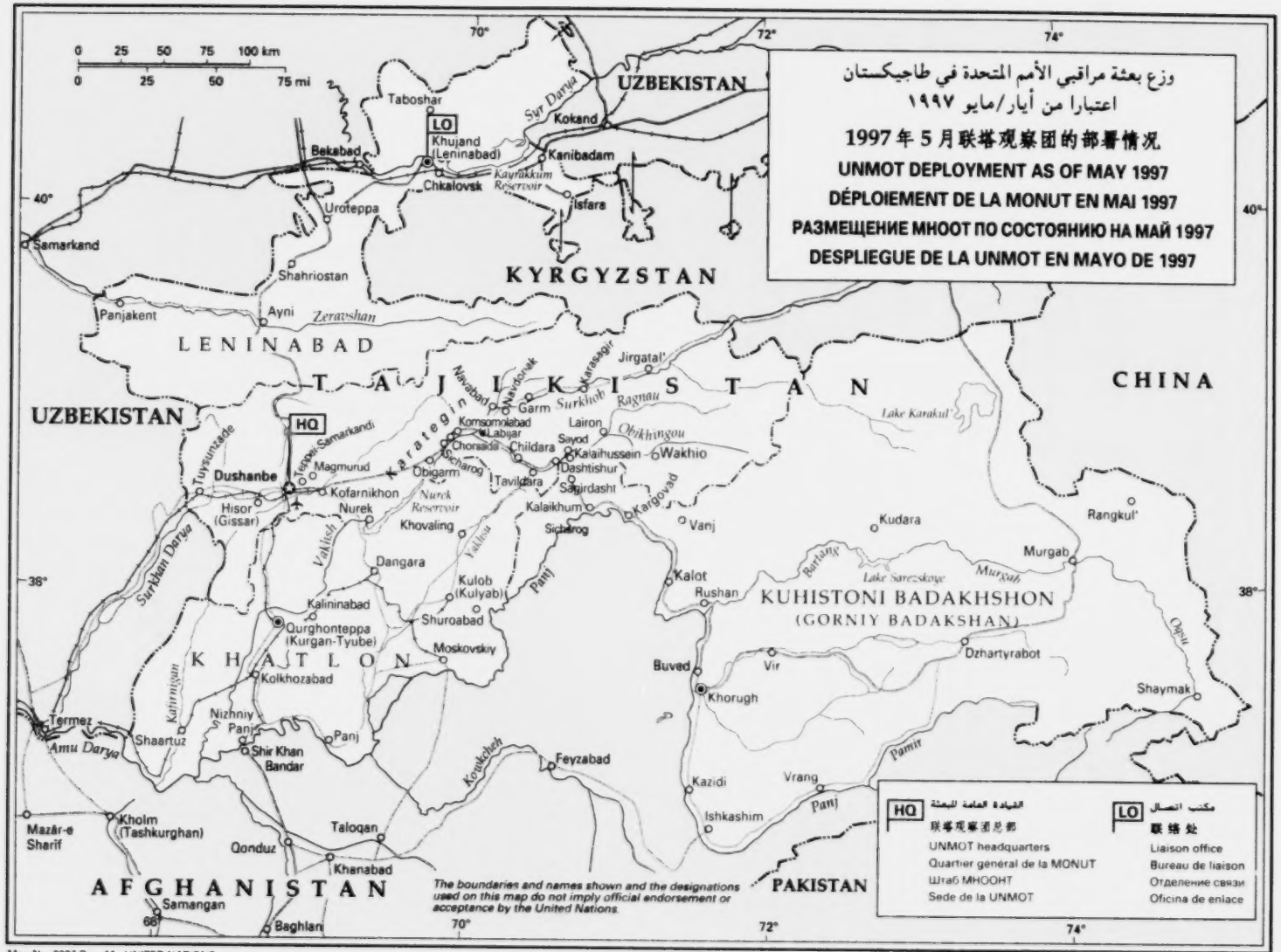
28. I should point out to the members of the Security Council that these tasks are not fully covered by the present mandate of UNMOT, nor does UNMOT have the capacity at present to perform them. To fulfil the tasks envisaged, the mandate would require amendment; its civilian complement would need to be strengthened and the number of its military observers significantly increased. It is imperative to keep in mind that security is an important consideration in this operation. In certain parts of Tajikistan, the deployment of unarmed personnel is at present considered to entail an unacceptable level of risk and, therefore, they would need to be protected. One possibility would be for the Collective Peacekeeping Forces of CIS to assume this responsibility, provided that is

accepted and supported by all the parties concerned. I intend to revert to the Security Council with recommendations concerning the adjustment of the UNMOT mandate and strength once answers have been found to this and other open questions that will require decisions by the Commission on National Reconciliation.

29. In the present circumstances, I recommend that the Security Council extend the mandate of UNMOT for a period of three months, until 15 September 1997, on the understanding that I shall keep the Council informed of significant developments and shall revert to it before that date if the questions referred to above have been clarified.

30. I take this opportunity to express my appreciation to the Governments of the Islamic Republic of Iran, Kyrgyzstan and the Russian Federation as hosts of the last rounds of negotiations, and to the observers to the inter-Tajik talks for their continued support for the process.

31. Finally, I should like to pay tribute to Mr. Merrem, my Special Representative, and to the men and women serving with him for the exemplary manner in which they have discharged their responsibilities under hazardous conditions. I should also like to thank the countries contributing military personnel to UNMOT for their cooperation and support during this period.



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May 1997

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